

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
EUGENE DISTRICT OFFICE

1792A
EA-00-11
2812
Weyerhaeuser
E-476
Amend. 3

DECISION DOCUMENTATION and FINDING OF NO SIGNIFICANT IMPACT

Amendment No. 3 To
Right-of-Way and Road Use Agreement E-476
and O. and C. Logging Road Right-of-Way Permit E-476
Environmental Assessment No. OR090-00-11

FINDING OF NO SIGNIFICANT IMPACT

On the basis of the information contained in the Environmental Assessment, and all other information available to me, it is my determination that implementation of the proposed action or alternatives will not have significant environmental impacts beyond those already addressed in the *Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents with the Range of the Northern Spotted Owl (April 1994)* and the *Eugene District Record of Decision and Resource Management Plan (June 1995)*, with which this EA is in conformance, and does not constitute a major federal action having a significant effect on the human environment. Therefore, an environmental impact statement is not necessary and will not be prepared.

DECISION

Based on the analysis documented in the Environmental Assessment (EA) No. OR090-EA-00-11 and the Finding of No Significant Impact, it is my decision to implement the Proposed Action. The action would amend an existing Right-of-Way agreement and permit to: 1) allow the use of an existing BLM road and 2) allow construction of 463 feet of temporary road on public land, both to access 5 acres of adjacent private land; 3) allow the use of an existing BLM road to access adjacent private land; 4) include 1,318.06 acres of private land to access public lands, subject to future environmental analysis; and 5) add language specifying reciprocal use of heliports, heliponds, and temporary logging landings.

ALTERNATIVES

In addition to the selected alternative, the EA considered one other alternative (EA, p. 2-3). Alternative A is the "No Action" Alternative and would involve no management activities.

DECISION RATIONALE

The Proposed Action was selected because it best meets the goal of reciprocal agreements, which is to avoid duplicate road systems and to provide long-term access to the intermingled land of both the government and private industry.

The proposed action is in conformance with the "*Record of Decision for Amendments to Forest Service and Bureau of Land Management Planning Documents within the Range of the Northern Spotted Owl*," (NSO ROD, April 1994), and the "*Eugene District Record of Decision and*

Resource Management Plan," (RMP, June 1995).

CONSULTATION AND COORDINATION

Pursuant to the Endangered Species Act, formal consultation has been completed with the U.S. Fish and Wildlife Service (FWS) over the interrelated and interdependent actions of Weyerhaeuser Company involving the removal of dispersal habitat on private land via federally-controlled roads. It is the opinion of the FWS that the Proposed Action items 1 and 2 are not likely to jeopardize the continued existence of the spotted owl. The BLM shall provide Weyerhaeuser the conservation recommendations contained in the Biological Opinion for the action involving the removal of spotted owl habitat on private land via federally-controlled roads.

PUBLIC COMMENTS

A public notice advertising the availability of the EA and FONSI appeared in the Eugene Register-Guard on April 26, 2000. Additionally, the EA and FONSI were mailed to interested individuals and organizations (EA, p. 6). A 30-day public comment period closed on May 26, 2000. No comments were received.

ADMINISTRATIVE REVIEW OPPORTUNITIES

The decision to implement this action may be appealed to the Office of Hearings and Appeals, Office of the Secretary, U.S. Department of the Interior, in accordance with the regulations contained in 43 CFR Part 4. If an appeal is taken, the notice of appeal must be filed in this office within thirty (30) days of the first publication of the notice of this decision in the Eugene Register-Guard on June 28, 2000, for transmittal to the Board. A copy of the notice of appeal and any statement of reasons, written arguments, or briefs, must also be served upon the Regional Solicitor, Pacific Northwest Region, U.S. Department of the Interior, 500 NE Multnomah Street, Suite 607, Portland, Oregon 97323, within the same time frame. In taking an appeal, there must be strict compliance with the regulations. In accordance with 43 CFR 4.21, an appellant has the right to petition the Office of Hearing and Appeals to stay the implementation of the decision; however, an appellant must show standing and present reasons for requesting a stay of the decision. The petition for stay must be filed together with a timely notice of appeal.

Signed by: Steven A. Calish
South Valley Field Manager

Date: June 23, 2000